THE HON'BLE Ms. JUSTICE G. ROHINI

WRIT PETITION No.24327 OF 2006

ORAL ORDER:

Heard the learned counsel for the petitioner and the learned Government Pleader for Prohibition & Excise.

The petitioner, who claims to be a resident of Bhimavaram town, West Godavari District, filed this writ petition aggrieved by the action of the 2nd respondent in according permission in favour of respondents 5 and 6 for establishing Bar & Restaurants at the premises bearing Door Nos. 21-11-47(3) and 20-11-34 respectively, in Bhimavaram town. It is alleged that the premises in which the Bar & Restaurants are proposed to be established by the respondents 5 and 6 are situated in a residential area within 100 meters from the 7th respondent-School and though the petitioner made several representations, including the representations dated 4.7.2006, 2.8.2006 and 16.11.2006 raising objections, the respondents failed to consider the same.

Having regard to the specific plea made by the petitioner and having regard to the mandatory provisions under Andhra Pradesh Excise (Grant of Licence of Selling by Bar and Conditions of Licence) Rules, 2005 the writ petition is disposed of with a direction to respondents 2 to 4 to consider the objections raised by the petitioner in his representations before granting any licence in favour of respondents 5 and 6. Needless to mention that the respondents 5 and 6 shall be afforded an opportunity to put forth their versions while considering the allegations made by the petitioner.

The writ petition is accordingly, disposed of. No costs.

22nd November, 2006. **(G. ROHINI, J.)**

Note: Operative portion by wire.

Kgr

THE HON'BLE Ms. JUSTICE G. ROHINI

WRIT PETITION No.24327 OF 2006

22nd November, 2006.

Between:

Amarapalli Rambabu. .. Petitioner.

And

Government of A.P., represented by its
Principal Secretary, Excise Department,
Secretariat, Saifabad, Hyderabad and others. ..
Respondents.